Form No. 639A--Highway Easement.

PREPARED BY _____

CHECKED BY _____

# HIGHWAY EASEMENT

Robert E. Scott and wife, Harriet P. Scott

Grantor s, of Olmsted County, Minnesota, for and in consideration of One dollar and other good and valuable considerations Dollars ($1.00) receipt of which is hereby acknowledged,

hereby convey and warrant to the County of Olmsted grantee, for highway purposes, together with the unrestricted right to improve the same, free and clear of all incumbrances, the following described real estate in the County of Olmsted in the State of Minnesota:

All that part of the following described tract;

A part of the Northeast Quarter (NE¼) of Section 30, Township 107 North, Range 13 West, Olmsted County, Minnesota, lying south of the centerline of County Road No. 2, being more particularly described by metes and bounds as follows;

Commencing at the Southeast corner of the Northeast Quarter (NE¼) of said Section 30; thence North 89°34'03" West, assumed bearing, along the south line of said Northeast Quarter (NE¼), 700.00 feet; thence due north parallel with the east line of said Quarter section, 50.00 feet for a place of beginning; thence North 89°34'03" West, parallel with the south line of said northeast quarter, 1075.00 feet; thence due north parallel with the East line of said quarter section, 1692.69 feet to the centerline of County Road No. 2; thence South 89°43'30" East, along said centerline, 630.15 feet; thence due south, parallel with the east line of said quarter section, 667.78 feet; thence due east, 444.83 feet; thence due south, parallel with the east line of said quarter section, 1030.00 feet to the place of beginning;

which lies within the right of way boundary of County State Aid Highway No. 2 delineated as in said tract of land as Parcel No. 3 (Westerly 155 feet only) on the Plat designated as Olmsted County Highway Right of Way Plat No. 45 on file and of record in the office of the County Recorder in and for Olmsted County.

Said Westerly 155 feet of Parcel No. 3 containing 0.11 acre more or less in addition to the existing and presently used right of way of CSAH No. 2.

~~And the said grantor himself, his, for themselves, their heirs, executors and assigns, do convenant never to cut, damage, destroy or remove any tree or shrub or other natural growth upon the hereinbefore described premises for the continuance of this easement, and does hereby grant and convey to the all grasses, shrubs, trees and natural growth now existing on said lands or that may be hereafter planted or grown thereon.~~

And the said grantor s, ~~himself, his~~, for themselves, their heirs, executors and assigns do hereby release the County of Olmsted its successors and assigns, from all claims for any and all damages resulting to the lands through and across which the parcel of land hereby conveyed is located by reason of the location, grading, construction, maintenance, and use of a public highway over and upon and the removal of materials from the premises hereby conveyed and from the uses incident thereto, and the County of Olmsted shall have the right to use and remove all earth and other materials lying within the parcel of land hereby conveyed and the right to construct and maintain, upon the lands adjoining the parcel hereby conveyed, such portable snow fences during such months as weather conditions make necessary.

~~And the said grantor himself, his, for themselves, their heirs, executors and assigns, do further convenant never to construct, erect, or maintain or allow or suffer any other person to construct, erect or maintain any sign or bill board or other advertising device upon the lands adjoining the parcel hereby conveyed, closer than one hundred (100) feet from the said premises unless a permit therefor in writing shall have first been obtained from the~~

Dated this 3 day of October, 19 86

In presence of:

Witness Harriet P. Scott

Witness Robert E. Scott

DARRELL OTTMAN
NOTARY PUBLIC — MINNESOTA
OLMSTED COUNTY
My Commission Expires May 9, 1991

STATE OF MINNESOTA
County of _____ } ss.

On this 3 day of October, 1986 before me personally appeared

to me known to be the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Darrell Ottman

I hereby certify that the within easement will convey to the _____
for highway purposes a good title to the land therein described, free and clear of all incumbrances.

I further approve said easement as to form and execution.

8 April, 1987 Robert W. Von Korff
Asst County Attorney. ~~Assistant Attorney General.~~

524195

DEPARTMENT OF HIGHWAYS
(HIGHWAY EASEMENT)

to

ABSTRACT
GRANTOR
GRANTEE
TRACT
PAID
CHG

STATE OF MINNESOTA
County of Olmsted } ss.

Office of County Recorder.

I hereby certify that the within instrument was filed for record in this office on the 8 day of April, 1987 at 1:45 o'clock P M., and that the same was duly recorded in Book X-4 of Misc on page 775

LOIS FINSTUEN
County Recorder.
By Sandra M. Forcier Deputy.

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Ck Atty